

**REMARKS**

Claims 18-34 are pending in this application. Claims 30-34 stand withdrawn. By this Amendment, claims 18-20 and 24 are amended. Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

The Office Action requests written confirmation of the election of claims 18-29. In reply to the September 25 telephone Restriction Requirement, Applicant provisionally elected Group I, claims 18-29, with traverse.

It is respectfully submitted that the subject matter of all claims is sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicant and duplicative examination by the Patent Office.

The Office Action objects to the Abstract for alleged informalities. The Abstract is amended to obviate the objection. Withdrawal of the objection is respectfully requested.

The Office Action objects to claims 19, 20 and 24 for allegedly containing informalities. Claims 19, 20 and 24 are amended to obviate the objection. Withdrawal of the objection is respectfully requested.

The Office Action rejects claims 18-29 under 35 U.S.C. §112, second paragraph, as being indefinite with regard to the phrase "at least some of the cells" of claim 18. Claim 18 is

amended to obviate the rejection. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

The Office Action rejects claims 18-29 on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-6 of U.S. Patent No. 7,429,416 to Hirakawa et al. ("Hirakawa"). This rejection is respectfully traversed.

For the reasons mentioned below with respect to the §§102(b) and 103(a) rejections, Applicant believes the present claims are non-obvious over Hirakawa. For example, Hirakawa does not teach "partition wall intervals ... are varied stepwise," as recited in claim 18. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

The Office Action rejects claims 18 and 25-29 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,329,162 to Pitcher, Jr. ("Pitcher"); and rejects claims 19-24 under 35 U.S.C. §103(a) as being unpatentable over Pitcher. These rejections are respectfully traversed.

Claim 18 recites, among other features, "wherein partition wall intervals of each of the partition wall groups positioned in parallel are varied stepwise in at least a part of the cell structure section."

Pitcher fails to teach the above-quoted feature. Pitcher, at col. 6, lines 54-69, teaches a geometry of transverse sectors having different possible cross-sectional areas. However, it is unreasonable to assert that Pitcher, in such a geometry, teaches the "partition wall intervals ... are varied stepwise."

For at least this reason, Pitcher cannot reasonably be considered to teach, or to have rendered obvious, the combinations of all of the features positively recited in independent claim 18. Further, Pitcher cannot reasonably be held to have rendered obvious the combination of all of the features positively recited in claims 19-29, for at least the respective

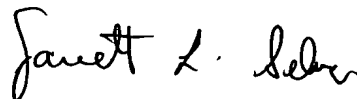
dependencies of the claims directly on an allowable base claim, as well as the separately allowable subject matter that these claims recite.

Accordingly, reconsideration and withdrawal of the rejections of claims 18-29 under 35 U.S.C. §§102(b) and 103(a) as being anticipated by, or unpatentable over, the applied references are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 18-29 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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